

Floor Statement in Support of Brian Morris and Susan Watters  
Nominees for U.S. District Judge for the District of Montana  
Senator Max Baucus  
December 11, 2013

President Lincoln once said, “Character is like a tree and reputation like its shadow. The shadow is what we think of it; the tree is the real thing.”

It is my distinct privilege to rise today to speak on two nominees that are indeed the real thing—Justice Brian Morris and Judge Susan Watters. The Senate will soon take up both Justice Morris’s and Judge Watters’s nominations for United States District Judge for the District of Montana.

One of the most important responsibilities I have is providing advice and consent to the President on nominations to the Federal bench. I approach each vacancy with the same criteria—I want the best, regardless of whether they are Republican or Democrat, liberal or conservative. Justice Morris and Judge Watters are the best. Their quality of character and breadth of experience are remarkable.

Montana Supreme Court Justice Brian Morris is one of the brightest legal minds to ever come out of Montana. Justice Morris was born and raised in Butte, Montana, and graduated from Butte Central High School. He earned bachelors and masters degrees in economics from Stanford University and received his law degree with distinction from Stanford University Law School in 1992.

Justice Morris’s experience after law school is as varied as it is noteworthy. He clerked for Judge John Noonan, Jr., of the Ninth Circuit Court of Appeals and Chief Justice William Rehnquist of the United States Supreme Court. He spent time working abroad as a legal assistant at the Iran-U.S. Claims Tribunal in The Hague and as a legal officer at the United Nations Compensation Commission in Geneva, Switzerland. He also spent time in private practice, handling criminal and commercial litigation with the Bozeman, Montana, firm of Goetz, Madden, & Dunn.

Justice Morris also served for four years as the state’s Solicitor General. He was elected to his current position on the Montana Supreme Court in 2004, and has demonstrated integrity, fairness, a steady disposition and superb analytical skills on Montana’s highest court. Justice Morris is known for his approachability, even-handedness and down-to-earth manner. He can often be found reading to students at Smith Elementary School in Helena.

Justice Morris has commanded the respect of his colleagues at the highest levels of the law. For more than eight years, he has served the people of Montana on the bench and in the community. His nomination is an extraordinary cap on an already remarkable career, and I have no doubt that he will continue to serve at the highest level. I congratulate Justice Morris, his wife Cherche, and their children Max, Mekdi, Aiden and William, on this achievement.

In 1916, Montanans elected Jeanette Rankin to be the first woman to serve in Congress four years before women had the right to vote. We are especially proud of this fact. Judge Susan Watters, our second nominee, is another trailblazer we can be proud of. Not only is Judge Watters a respected jurist and dedicated public servant, but once confirmed, she will be the first woman to serve as a United States District Court Judge for the State of Montana.

Judge Watters was born and raised in Billings, Montana, and graduated with honors from Eastern Montana College. Judge Watters raised two young daughters while attending the University of Montana Law School, receiving her law degree in 1988. Since then, Judge Watters has cemented her reputation as a skilled trial lawyer and judge.

After law school, Judge Watters served as Deputy County Attorney for Yellowstone County, handling civil and criminal cases. In 1995, Judge Watters entered private practice, taking hundreds of cases to final judgment in state and federal court. In 1999, Governor Marc Racicot appointed her to sit as a state district court judge for Montana's 13<sup>th</sup> judicial district in Billings. Since her appointment, Judge Watters has been reelected three times, most recently with over 80% of the vote.

Judge Watters has tried hundreds of cases during her 14-plus years on the bench. She has heard civil, criminal, probate, juvenile and family law cases. Her trial court experience is remarkable.

She further served her community by establishing the Yellowstone County Family Drug Treatment Court in 2001, the first of its kind in Montana. Its overwhelming success has made it a national model.

Judge Watters is known for being fair, hard-working, possessing strong analytical skills and an excellent judicial temperament. Her extensive trial experience as a practicing lawyer and trial judge will be an invaluable addition to Montana's federal bench.

Judge Watters embodies the qualities that service on the federal bench requires. She has served the people of Yellowstone County for over a decade, and I am absolutely confident that she will bring the same professionalism and dignity to the federal bench. I want to congratulate Judge Watters, her husband Ernie, and their daughters Jessica and Maggie on this outstanding achievement.

Justice Morris and Judge Watters are supremely qualified, and their service is sorely needed. Montana has three federal district court judgeships. The vacancies that Justice Morris and Judge Watters will fill are both considered judicial emergencies. Chief Judge Dana Christensen, our lone active judge, travels over 300 miles roundtrip to hear cases. Senior Judge Don Molloy travels over 340 miles one-way, greater than the distance between Washington, D.C., and Hartford, Connecticut, to hear cases.

Justice Morris and Judge Watters embody the qualities Montanans demand of their federal judges. Their intellect, experience, and integrity are above reproach. I urge my colleagues to join me in supporting their nominations.